

REMARKS

Claims 1-12 are pending. By this Amendment, the Specification and Claims 1-2 and 10 are amended. Claims 1-2 and 10 are amended to address informalities therein and support for the remaining amendments to Claim 1 can be found on page 5, lines 8-19 and Figures 1-4 of the application as originally filed. Accordingly, Applicants respectfully submit that no new matter is presented herein.

Entry of Response is Proper

Entry of this Amendment is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration on the part of the Examiner; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to objections raised in the Final Rejection. Entry of the Amendment is thus respectfully requested.

Claim Rejections – 35 U.S.C. §112, First Paragraph

Claims 4 - 9 are rejected under 35 U.S.C. §112, first paragraph.

The Office Action asserts that while it is clear that the Applicants are claiming a plurality of inflow and discharge channels relative to a radial line (L), the Office Action properly notes the problem exists in that a radial line (L) can theoretically be drawn to any of the plurality of inflow and discharge oil channels, resulting in multiple diverse inflow and discharge angles being produced.

Applicants respectfully submit the claims have been amended in a manner believed to be responsive to the basis of the rejection. In particular, Claim 1 has been amended to clarify that the radial line (L) recited therein passes through an inner end of the discharge oil channel itself as discussed on page 5, lines 8-19 of the written disclosure and clearly illustrated in Figures 1-4 of the application as originally filed.

As such, Applicants respectfully submit that Claims 4 – 9, which depend from Claim 1, are fully and properly enabled as the Applicants respectfully submit that Claims 4-9 recite subject matter which is described in the specification, as originally filed, in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Withdrawal of the rejection is respectfully requested.

Claim Rejections – 35 U.S.C. §112, Second Paragraph

Claims 1-12 are rejected under 35 U.S.C. §112, second paragraph. Applicants respectfully submit the claims have been amended in a manner believed to be responsive to the basis of the rejections. Withdrawal of the rejections is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 1-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent Number 6,899,783 to Oguri et al. (Oguri) in view of United States Patent Application Publication Number 2001/00232803 to Hattori.

Applicants respectfully traverse the rejection for at least the following reason(s).

Applicants respectfully submit that Oguri does not form a rejection of the noted claim under 35 U.S.C. §103(a) because the conflicting inventions were commonly

owned by, or subject to an obligation of assignment to, Kabushiki Kaisha F.C.C. at the time the invention of this application was made.

Evidence Required to Establish Common Ownership

Application Number 10/591,320 and Oguri were, at the time the invention of Application Number 10/591,320 was made, owned by Kabushiki Kaisha F.C.C.

Accordingly, Applicants respectfully submit that Oguri is properly disqualified from being used in a rejection under 35 U.S.C. §103(a) against the claims of Application Number 10/591,320. As such, the rejection is rendered moot and should be withdrawn.


Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of the application, withdrawal of the outstanding rejections, allowance of Claims 1-12, and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107348.00603.**

Respectfully submitted,
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